

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Caption in compliance with D.N.J. LBR 9004-1(b)

HILL WALLACK LLP

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*Attorneys for NewRez LLC d/b/a Shellpoint Mortgage
Servicing*

In Re:

Kathleen L. Baylock fka Kathleen L Mason fka
Kathleen L Langston
Debtor.

Chapter: 22-13314-JNP

Case No.: 13

Judge: Jerrold N. Poslusny Jr.

Hearing: June 29, 2022

**OBJECTION OF NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
TO THE CONFIRMATION OF THE DEBTORS' CHAPTER 13 PLAN**

NewRez LLC d/b/a Shellpoint Mortgage Servicing ("Shellpoint") hereby objects to the confirmation of the Debtor's Chapter 13 Plan for the following reasons:

1. Shellpoint is a secured creditor of the debtor, Kathleen L. Baylock (the "Debtor") with respect to real property commonly known as 1446 S. 9th Street Camden, NJ 08104 (the "Property").

2. The Debtor is in default under the subject Note and Mortgage by having failed to make the payment due on April 01, 2014.

3. As of April 25, 2022, the date that the instant bankruptcy was filed, the arrearage amount was approximately \$77,993.47, which will be more particularly set forth in a Proof of Claim that will be filed prior to the claim deadline. This amount represents monthly payments, pre-petition late charges, advances for taxes/insurance, foreclosure costs and attorney's fees incurred with respect to the default.

4. The Debtor's plan fails to provide for the repayment of the secured claim due to the objecting creditor and/or surrender of the subject real property in violation of 11 U.S.C. §1325(a)(5).

4. The Debtor's plan as proposed appears to contemplate that there will be no cure for the pre-petition arrears of Shellpoint unless or until a Loan Modification is achieved. The requirements of 11 U.S.C § 1322(d) do not allow for payment over a period longer than 5 years. Moreover, the debtor(s) are obligated to cure the arrears due to the objecting creditor within a reasonable time pursuant to 11 U.S.C § 1322(b)(5). Accordingly, in the event that the ongoing loss mitigation efforts are not successful, the plan fails to satisfy the confirmation requirements of 11 U.S.C § 1325(a)(1). The Debtor is unable to otherwise propose a feasible Plan.

5. The Debtor should not be permitted to further delay Shellpoint from proceeding with its rights and remedies, especially in light of the fact that the Debtor is eight (8) years in default, and the arrears owed to Shellpoint as of the Petition Date total nearly \$80,000.00.

6. As a result of the foregoing, the Debtor's Chapter 13 Plan is not confirmable as the Plan fails to provide for the full claim of Shellpoint, the proposed loan modification is entirely

speculative at best, and a Chapter 13 Plan is not otherwise feasible. See, 11 U.S.C. §1325(a)(3). As such, Shellpoint objects to the confirmation of the Debtor's Chapter 13 Plan for lack of feasibility and fairness to impacted creditors.

For the foregoing reasons, Shellpoint respectfully suggests that the confirmation of Debtor's proposed plan should be denied and that the Debtor's case should be considered for conversion or dismissal.

Respectfully submitted,
HILL WALLACK LLP
Attorneys for NewRez LLC d/b/a Shellpoint
Mortgage Servicing

By: /s/Angela C. Pattison
Angela C. Pattison

Dated: May 10, 2022

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HILL WALLACK LLP Angela C. Pattison, Esq. 21 Roszel Road P.O. Box 5226 Princeton, NJ 08543 Phone: 609-924-0808 Email: apattison@hillwallack.com <i>Attorneys for NewRez LLC d/b/a Shellpoint Mortgage Servicing</i>	
In Re:	
Kathleen L. Baylock fka Kathleen L Mason fka Kathleen L Langston Debtor(s).	

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CERTIFICATION OF SERVICE

1. I, Sean K Bolduc:

- ☐ represent the _____ in the above-captioned matter.
- ☒ am the secretary/paralegal for Hill Wallack LLP, who represents the Creditor in the above captioned matter.
- ☐ am the _____ in the above case and am representing myself.

2. On May 10, 2022, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below: ***Objection to Confirmation of Plan***

I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: May 10, 2022

/s/ Sean K Bolduc
Sean K Bolduc

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Kathleen L. Baylock 1446 S. 9th Street Camden, NJ 08104	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Mark W Ford Law Office of Mark W. Ford, LLC P.O. Box 110 4 1/2 North Broadway Gloucester City, NJ 08030	Debtor's Counsel	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Isabel C. Balboa Chapter 13 Standing Trustee Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

*May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.